

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-vs-

MARK ANTHONY PHILLIPS,

Defendant.

22-CR-06058 (CJS-MWP)

**GOVERNMENT'S
NOTICE OF INTENT TO USE
EVIDENCE**

The United States of America, through Trini E. Rossi, United States Attorney for the Western District of New York, Kyle P. Rossi, Assistant United States Attorney, of counsel, hereby files its Notice of Intent to Use Evidence pursuant to Federal Rule of Criminal Procedure 12(b)(4). The government reserves the right to supplement this notice as additional evidence or information comes to the attention of the United States Attorney.

The government intends to use all evidence provided to the defense and identified in its discovery letters dated:

1. May 2, 2021;
2. October 12, 2021;
3. December 3, 2021;
4. February 4, 2022;
5. February 8, 2022;
6. May 11, 2022 (enclosing records); and
7. May 11, 2022 (enclosing forensics).

This material includes, but is not limited to:

1. Reports and records created and collected by the Internal Revenue Service provided in discovery;
2. Testimony from the Agents and witnesses identified in the discovery materials;
3. Photographs and other documentary evidence created by law enforcement as identified in the discovery materials;

4. The contents of digital devices seized from the defendant's residence as identified in the discovery materials;
5. Audio/visual recordings and written communications detailing the defendant's interactions with an undercover IRS Agent from November 2020 through May 2021;
6. Defendant's oral and written statements provided to law enforcement as contained in the discovery materials; and
7. Financial records provided in the discovery materials.

The government will notify defense counsel of any additional evidence of the same kind which becomes available prior to trial.

Dated: Rochester, New York
May 12, 2022

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